

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STEVEN J. BELL,

Plaintiff,

Case No.2:09-CV-00150-RSL

v.

PLAINTIFF'S INITIAL
DISCLOSURES

INDYMAC BANK, FSB; TWIN CAPITAL
MORTGAGE, INC.; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC.; LENDERS PROCESSING SERVICES,
INC; REGIONAL TRUSTEE SERVICES
CORPORATION,

Defendants.

Pursuant to Fed. R. Civ. P. 26(a)(1), Plaintiff Steven Bell hereby makes his initial disclosures to the Defendants in the above-captioned case, as follows:

RESERVATION OF RIGHTS

1. Plaintiff's disclosures are based upon information reasonably available to him as of the date these disclosures were prepared. Accordingly, Plaintiff reserves the right to supplement the information contained herein if additional information becomes known to him at a later date.

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Law Offices of Melissa A. Huelsman, P.S.
705 2nd Avenue, Suite 501
Seattle, WA 98104
(206) 447-0103
Fax: (206) 447-0115

1 2. Plaintiff's initial disclosures are not intended to and do not constitute a waiver of
2 any objections he may have now or in the future to any discovery in this action. Plaintiff
3 expressly reserve any and all objections which he has, previously had, or may ever have,
4 including, but not limited to, objections based upon relevance; attorney-client privilege; attorney-
5 work product doctrine; undue burden or harassment; overbreadth; immateriality; or any other
6 applicable privilege or protection under federal, local, or applicable state laws or rules of
7 evidence.

8 3. Plaintiff expressly reserves the right to identify documents or individuals or call
9 as witnesses individuals in addition to those identified herein, including witnesses disclosed by
10 defendants, and to identify additional documents, if they discover that additional documents exist
11 that are relevant to this action or that such individuals have or might have knowledge of matters
12 relevant to this action.

13 4. Any of all of these initial disclosures are made subject to and without limiting any
14 of the foregoing reservation of rights.

15 **I. Individuals likely to have discoverable information that may be used by**
16 **Plaintiff to support his claims or defenses:**

17 Subject to and without waiving reservation of rights stated above and based upon the
18 information reasonably available to Plaintiff at the present time, Plaintiff identifies the following
19 as individuals likely to have discoverable information that Plaintiff may use to support his claims
20 or defenses:

21 1. Plaintiff Steven Bell through his counsel, Melissa A. Huelsman, Law Offices of
22 Melissa A. Huelsman, P.S., 705 Second Avenue, Suite 501, Seattle, WA 98104; (206) 447-0103.

23 2. Representatives(s) of Defendant for Twin Capital Mortgage, Inc. c/o of
24 Christopher R. Ambrose at 200 Buddha Building, 312 NW Tenth Avenue, Portland, Oregon
25 97209, (503) 222-0552.

3. Representative(s) of Defendant for IndyMac Bank, FSB and Mortgage Electronic Registration System c/o Douglas L. Davies at Foster Pepper PLLC, 1111 Third Avenue, Suite 3400, Seattle, Washington (206) 447-4400.

4. Representative(s) of Defendant for Lender Processing Service, Inc c/o of Denise M. Hamel of Socius Law Group, PLLC, 601 Union Street, Suite 4950, Seattle, Washington, (206) 838-9100.

5. Representative(s) of Defendant Regional Trustee Services Corporation c/o Nicolsa A. Daluiso at Robinson Tait, P.S., 710 Second Avenue, Suite 710, Seattle, Washington, (206) 676-9640.

6. All individuals identified in the loan file as having participated in making or facilitating the loans in question.

The other defendants in this case have not been served yet and therefore the only identifying information for them is their registered agent information.

II. Description of documents, data compilations, and tangible things that are in Plaintiff's possession, custody, or control that may be used to support their claims or defenses.

Subject to and without waiving the reservation of rights stated above and based upon the information reasonably available to Plaintiff at the present time, Plaintiff submits the following description of documents, data compilations, and tangible things in his possession, custody, or control that may be relevant to his claims or defenses. Plaintiff is also identifying documents which he knows to exist and which he believe may support his claims:

1. Plaintiff's financial documents and supporting documentation relating to the mortgage loan, including but not limited to, the documentation Plaintiff received from any of the defendants and/or the escrow agent and/or the notary.

2. The entire loan file(s) in the possession the defendants, as well as the escrow file

1 in the possession of the escrow agent.

2 3. Documents relating to the relationship between the defendants herein, including
3 the mortgage broker relationship between Defendants and the mortgage lender defendants.

4 4. Records in the possession of the notary who notarized the loan documents.

5 5. Loan files and supporting documentation in the possession of all of the mortgage
6 lending defendants named herein.

7 6. Loan files and supporting documentation in the possession of the foreclosing
8 entities.

9 7. Documents in the possession of Plaintiff are being held by her attorney, Melissa
10 A. Huelsman at the Law Offices of Melissa A. Huelsman, P.S., 705 Second Avenue, Suite 501,
11 Seattle, WA 98104, and they have already been produced to all counsel for the parties who have
12 appeared in the case to date.

13 **III. Damages Computation**

14 A computation of the categories of damages claimed by the Plaintiff is as follows:

15 1. General damages resulting from the actions of the Defendants, including inflated
16 costs of servicing the mortgage loan resulting from increased interest rates;
17 improper amounts charged by the Defendants, foreclosure fees and cost and other
18 damages which are not yet indentified.

19 2. Damages resulting from the emotional distress caused by the Defendants.

20 3. Statutory damages that are available under TILA.

21 4. Treble damages available under the Consumer Protection Act.

22 5. Attorneys' fees and costs.

23 **IV. Insurance**

24 There is no insurance agreement under which any person carrying on an insurance
25 business may be liable to satisfy part or all of a judgment which may be entered for inspection

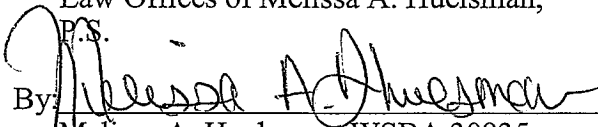
1 and copying under Rule 34.

2 Dated this 28th day of May 2009.

3
4 Law Offices of Melissa A. Huelsman,

P.S.

5 By


Melissa A. Huelsman, WSBA 30935

Attorney for Plaintiff Steven Bell

CERTIFICATE OF SERVICE

I declare under penalty of perjury of laws of the state of Washington that on May 28, 2009, I caused to be served in the manner indicated below a true and accurate copy of the foregoing document upon the following by ECF.

Foster Pepper PLLC Douglas L. Davies 1111 3 rd Ave, Ste 3400 Seattle, WA 98101-3299 Ph: (206) 447-6402 E-mail: david@foster.com	<input type="checkbox"/> By Mail <input checked="" type="checkbox"/> Legal Messenger <input type="checkbox"/> By Facsimile <input type="checkbox"/> By Air Courier <input checked="" type="checkbox"/> CM/ECF, Western District of Washington <input type="checkbox"/> E-mail
Robinson Tait, P.S. Nicolsa A. Daluiso Jennifer L. Tait 710 Second Avenue, Suite 710 Seattle, WA 98104 Ph: (206) 676-9642 Fax: (206) 676-9659 E-mail: jtait@robinsontait.com ndaluiso@robinsontait.com	<input type="checkbox"/> By Certified Mail <input checked="" type="checkbox"/> Legal Messenger <input type="checkbox"/> By Facsimile <input type="checkbox"/> By Air Courier <input checked="" type="checkbox"/> CM/ECF, Western District of Washington <input type="checkbox"/> E-mail
Ambrose Law Group LLC Christopher R. Ambrose 200 Buddha Building 312 NW Tenth Avenue Portland, Oregon 97209 Ph: (503) 222-0552 Fax: (503) 222-0984 E-mail: crambrose@ambroselaw.com	<input type="checkbox"/> By Certified Mail <input type="checkbox"/> Legal Messenger <input type="checkbox"/> By Facsimile <input type="checkbox"/> By Air Courier <input checked="" type="checkbox"/> CM/ECF, Western District of Washington <input checked="" type="checkbox"/> E-mail
Thomas F. Peterson Denise M. Hamel Socius Law Group, PLLC 601 Union Street Suite 4950 Seattle, WA 98101 Ph: (206) 838-9100 Fax: (206) 838-910 E-mail tpeterson@sociuslaw.com dhamel@sociuslaw.com	<input type="checkbox"/> By Certified Mail <input type="checkbox"/> Legal Messenger <input type="checkbox"/> By Facsimile <input type="checkbox"/> By Air Courier <input checked="" type="checkbox"/> CM/ECF, Western District of Washington <input checked="" type="checkbox"/> E-mail

/s/ Monique Lefebvre

Monique Lefebvre

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